

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

*S.J., a minor child by and through
his parents S.H.J. and J.J.,*

Plaintiffs,

v.

ISSAQUAH SCHOOL
DIST. No. 411, *et al.*,

Defendants.

Case No. C04-1926RSL

ORDER REGARDING MOTION TO
INTRODUCE NEW EVIDENCE AND
RESETTING BRIEFING SCHEDULE

This matter comes before the Court on plaintiffs' motion (Dkt. #43) to introduce new evidence and set a date for an evidentiary hearing. Plaintiffs did not identify the supplemental evidence sought to be introduced in their motion, depriving defendants of any opportunity to respond. They stated, for the first time in their reply memorandum, that "there is no evidence presented in the [administrative] hearing demonstrating how Washington state physicians interpret the Washington state law on the issue of forcing a minor over the age of thirteen to take medication. This is the evidence that the Plaintiffs request be heard by this Court in order for this Court to be able to rule on all issues in this case." Plaintiffs' Reply at p. 3 (anticipating that the evidence "can be heard by this Court through one or two witnesses in a half-a-day"). This request is vague and fails to identify the relevance of the evidence. Rather than deny the motion,

1 the Court will allow plaintiffs to file declarations from no more than two physicians on the issue.
2 The declarations will inform the Court and defendants about what plaintiffs seek to present.
3 Plaintiffs must file the declarations no later than May 7, 2007. Defendants may file a
4 supplemental opposition to the motion no later than May 11, 2007. No further briefing on this
5 motion will be accepted. The Clerk of the Court is directed to renege plaintiffs' motion to
6 introduce new evidence (Dkt. #43) on the Court's calendar for May 11, 2007.

7 The timing of plaintiffs' motion to introduce new evidence and their failure to timely
8 identify that evidence will delay the consideration of their appeal. The Clerk of the Court is
9 directed to renege plaintiff's administrative appeal on the Court's calendar for June 15, 2007.
10 Defendants shall file their response to plaintiffs' opening memorandum, not to exceed twenty-
11 four pages, no later than 4:30 p.m. on May 31, 2007. Plaintiff's reply, if any, shall not exceed
12 twelve pages and shall be filed no later than 4:30 p.m. on June 14, 2007.

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14 DATED this 18th day of April, 2007.

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17 Robert S. Lasnik
18 United States District Judge
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